

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

RUPERT A. BENTLEY, JR.,

Plaintiff,

vs.

KILOLO KIJAKAZI,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

CV 21-76-M-DWM

ORDER

Plaintiff Rupert A. Bentley (“Bentley”), by and through his attorney, Michael A. Bliven, moves under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d), for attorney fees incurred in prosecuting his Social Security appeal. He requests \$6,500 in attorney fees and \$350 in costs. (Doc. 15.) Defendant Commissioner of Social Security (“Commissioner”) does not object to Bentley’s application for fees in this amount. (Doc. 16.) Accordingly,

IT IS ORDERED that Defendant shall pay \$6,500 in attorney fees and \$350 in costs under the Equal Access to Justice Act, 28 U.S.C. § 2412.

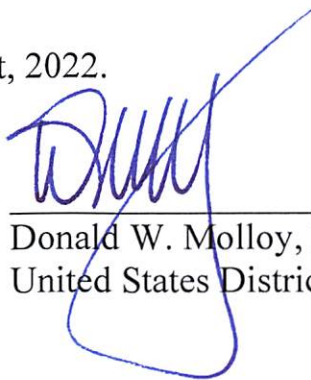
IT IS FURTHER ORDERED that if, after receiving the Court’s EAJA fee order, the Commissioner (1) determines upon effectuation of the Court’s EAJA fee order that Plaintiff does not owe a debt that is subject to offset under the Treasury

Offset Program, (2) agrees to waive the requirements of the Anti-Assignment Act, and (3) is provided a valid assignment of fees executed by Plaintiff, the fees will be made payable to Plaintiff's attorney and mailed to Plaintiff's attorney's office as follows:

Bliven Law Firm, PC
704 South Main
Kalispell, MT 59901

However, if there is a debt owed under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and a check for any remaining EAJA fees after offset will be paid by a check made out to Plaintiff but delivered to Plaintiff's attorney's office at the address stated above.

DATED this 23rd day of August, 2022.



Donald W. Molloy, District Judge
United States District Court